

AMENDMENTS TO LB 823

(Amendments to E & R amendments, ER8154)

Introduced by Schimek, 27.

1 1. Insert the following new sections:

2 Sec. 12. Section 86-552, Revised Statutes Cumulative
3 Supplement, 2006, is amended to read:

4 86-552 For purposes of the Intergovernmental Data
5 Services Program Act, the definitions found in sections ~~86-553~~
6 86-554 to 86-561 apply.

7 Sec. 13. Section 86-562, Revised Statutes Cumulative
8 Supplement, 2006, is amended to read:

9 86-562 The purpose of the system is to allow for
10 the efficient operation of state government and its political
11 subdivisions. In managing and allocating resources on the system,
12 the ~~administrator~~ officer shall assign first priority to providing
13 capacity for statewide applications that are essential to carrying
14 out the duties of state agencies in an efficient and effective
15 manner. The system may also serve local data processing needs of
16 political subdivisions, provide citizens with a point of access to
17 governmental services and information, and serve other state and
18 local needs, subject to available resources.

19 Sec. 14. Section 86-563, Revised Statutes Cumulative
20 Supplement, 2006, is amended to read:

21 86-563 In establishing and maintaining the system:

22 (1) The division:

1 (a) Shall provide the computer network and services for
2 the system with assistance from the division of communications of
3 the office;

4 (b) Shall, within available resources, assist ~~the~~
5 ~~Intergovernmental Data Communications Advisory Council,~~ the
6 ~~Geographic Information System Steering Committee,~~ and other local,
7 state, and federal collaborative efforts to encourage coordination
8 of information systems and data sharing;

9 (c) Shall coordinate its activities and responsibilities
10 with the functions of the division of communications to minimize
11 overlap and duplication of technical services between the divisions
12 in supporting the system, its applications, and application
13 development; and

14 (d) May undertake and coordinate planning studies to
15 determine the feasibility, benefits, costs, requirements, and
16 options for the intergovernmental transfer of data;

17 (2) The ~~administrator~~ officer:

18 (a) Shall approve and coordinate the design, development,
19 installation, training, and maintenance of applications by state
20 agencies for use on the system. Any agency proposing to add
21 an application to the system shall submit an evaluation to
22 the ~~administrator~~ officer that examines the cost-effectiveness,
23 technical feasibility, and potential use of the proposed
24 application; that identifies the total costs of the application,
25 including design, development, testing, installation, operation,
26 and any changes to the computer network that are necessary for its
27 operation; and that provides a schedule that shows the estimated

1 completion dates for design, development, testing, installation,
2 training, and full operational status. The ~~administrator~~ officer
3 shall not approve an application by a state agency for use on the
4 system unless his or her review shows that the application is cost
5 effective and technically feasible, that funding is available, and
6 that the proposed schedule is reasonable and feasible;

7 (b) Shall approve changes in the design of applications
8 by state agencies for use on the system. The ~~administrator~~ officer
9 may require such information from the agency as necessary to
10 determine that the proposed change in design is cost effective
11 and technically feasible, that funding is available, and that the
12 proposed schedule for implementation is reasonable and feasible;

13 (c) May ~~with the approval of the officer~~, contract with
14 other governmental entities or private vendors in carrying out the
15 duties relating to the intergovernmental data services program;

16 (d) Shall ~~in cooperation with the division of~~
17 ~~communications~~, establish a rate schedule that reflects the rates
18 adopted by the division of communications and the information
19 management services division, plus any additional costs of the
20 system. Such fees may reflect a base cost for access to the system,
21 costs for actual usage of the system, costs for special equipment
22 or services, or a combination of these factors. The ~~administrator~~
23 officer may charge for the costs of changes to the system that are
24 requested by or are necessary to accommodate a request by a user.
25 All fees shall be set to recover all costs of operation;

26 (e) May ~~with the approval of the officer~~, enter into
27 agreements with other state and local governments, the federal

1 government, or private-sector entities for the purpose of sale,
2 lease, or licensing for third-party resale of applications and
3 system design. Proceeds from such agreements shall be deposited to
4 the Data Systems Cash Fund;

5 (f) Shall determine whether a local application shall be
6 a component of the system. No local application shall be resident
7 or operational in any component of the system without explicit
8 authorization of the ~~administrator~~, officer; and

9 (g) Shall approve or disapprove the attachment of any
10 peripheral device to the system and may prescribe standards and
11 specifications that such devices must meet; and

12 ~~(h) Shall provide assistance as requested by the Nebraska~~
13 ~~Information Technology Commission to support the technical panel~~
14 ~~created in section 86-521;~~

15 (3) The officer and ~~administrator~~ shall be responsible
16 for the proper operation of the system, applications, and
17 peripheral devices purchased or developed by the expenditure of
18 state funds. The ownership of such system, applications, and
19 peripheral devices shall be vested with the state; and

20 (4) All communications and telecommunications services
21 for the intergovernmental data services program and the system
22 shall be secured from the division of communications.

23 Sec. 15. Section 86-564, Revised Statutes Cumulative
24 Supplement, 2006, is amended to read:

25 86-564 (1) The ~~administrator~~ officer shall submit as
26 part of the biennial budget request of the office a listing of
27 all applications submitted for consideration, cost estimates for

1 development, testing, and full operation of each application, a
2 recommended priority listing of the applications for which an
3 evaluation is completed, and funding recommendations by application
4 contained within the budget request for the division. All
5 application estimates and requests shall be scheduled over ensuing
6 fiscal years such that annual projected costs and completion of
7 application phases to the point of fully operational status can be
8 clearly determined. Local applications shall not be subject to the
9 provisions of this subsection.

10 (2) All development costs for approved new applications
11 shall be budgeted and appropriated to the division or to
12 participating state agencies at the discretion of the Legislature.
13 Agencies may independently request appropriations for such
14 application development, however such requests shall be subject
15 to the review and prioritization set forth in subdivision (2)(a)
16 of section 86-563, and at such time as the application becomes
17 an authorized application and funded by the Legislature, the
18 cost of such development shall be appropriated to the division
19 or to participating state agencies. To the extent possible, if
20 office cash or revolving funds or federal funds may be used
21 for application development, such funds may be transferred to
22 the division and expended for application development in order
23 to properly account for all costs associated with application
24 development.

25 Sec. 16. Section 86-565, Revised Statutes Cumulative
26 Supplement, 2006, is amended to read:

27 86-565 The ~~administrator~~ officer may adopt and promulgate

1 rules, regulations, guidelines, and procedures to carry out
2 sections 86-563 and 86-564.

3 Sec. 17. Section 86-569, Revised Statutes Cumulative
4 Supplement, 2006, is amended to read:

5 86-569 (1) The Legislature finds that ~~the~~ Geographic
6 Information ~~System is~~ Systems are a computer-based technology that
7 captures, stores, analyzes, and displays information about the
8 earth's surface from a geographically referenced ~~system,~~ systems,
9 that an interest in the ~~system~~ systems is rapidly increasing at all
10 levels of government, and that an institutional mechanism is needed
11 to encourage initiatives, coordinate efforts, avoid duplication,
12 seek efficiencies, develop guidelines, policies, and standards for
13 operations and management, promote education and training, and make
14 recommendations so that such technology will benefit the entire
15 state and endure as an analysis tool for decisionmakers.

16 ~~(2) The Intergovernmental Data Communications Advisory~~
17 ~~Council has found that there are many levels of experience,~~
18 ~~expertise, and hardware and software sophistication among the~~
19 ~~various levels of government and that guidelines, policies,~~
20 ~~coordination, and standards are required to realize the maximum~~
21 ~~benefits of this technology, avoid data quality problems, and~~
22 ~~resolve conflicts at a reasonable cost for the state.~~

23 ~~(3) (2)~~ (2) It is the intent of the Legislature that a
24 Geographic Information ~~System Steering Committee~~ Systems Council
25 be created with statewide responsibilities to take an active
26 role in implementing ~~the Geographic Information System.~~ Systems.
27 Such ~~committee~~ council would help facilitate acquisition of such

1 technology at all levels of government and make recommendations
2 to the Legislature for program initiatives and funding and the
3 fostering of communication, training, and education.

4 (3) It is the intent of the Legislature that the
5 Geographic Information Systems Council serve as an advisory council
6 to the Nebraska Information Technology Commission and assist the
7 commission in its overall information technology planning and
8 oversight and provide technical advice and recommendations related
9 to the specialized needs of Geographic Information Systems.

10 Sec. 18. Section 86-570, Revised Statutes Supplement,
11 2007, is amended to read:

12 86-570 (1) The Geographic Information ~~System Steering~~
13 ~~Committee~~ Systems Council is hereby created and shall consist of:
14 ~~nineteen members as follows:~~

15 (a) The Chief Information Officer or his or her designee
16 and the director or designee of the Department of Environmental
17 Quality, the Department of Health and Human Services, the
18 Conservation and Survey Division of the University of Nebraska, the
19 Department of Natural Resources, and the Governor's Policy Research
20 Office;

21 (b) The Director-State Engineer or designee;

22 (c) The State Surveyor or designee;

23 (d) The Clerk of the Legislature or designee;

24 (e) The secretary of the Game and Parks Commission or
25 designee;

26 (f) The Property Tax Administrator or designee;

27 (g) One representative of federal agencies appointed by

1 the Governor;

2 (h) One representative of the natural resources districts
3 nominated by the Nebraska Association of Resources Districts and
4 appointed by the Governor;

5 (i) One representative of the public power districts
6 appointed by the Governor;

7 (j) Two representatives of the counties nominated by
8 the Nebraska Association of County Officials and appointed by the
9 Governor;

10 (k) One representative of the municipalities nominated
11 by the League of Nebraska Municipalities and appointed by the
12 Governor; and

13 (l) Two members at large appointed by the Governor; and-

14 (m) Such other members as nominated by the Nebraska
15 Information Technology Commission and appointed by the Governor.

16 (2) The appointed members shall serve ~~for~~ terms of
17 ~~four years,~~ except that of the initial members appointed by the
18 Governor, one of the representatives of the counties shall be
19 appointed for one year and the other shall be appointed for three
20 years, one of the members at large shall be appointed for one
21 year and the other for three years, and the representative of the
22 public power districts shall be appointed for two years. Their
23 successors shall be appointed for four-year terms. Any vacancy
24 on the committee shall be filled in the same manner as the
25 original appointment, and the person selected to fill such vacancy
26 shall have the same qualifications as the member whose vacancy is
27 being filled. as determined by the Nebraska Information Technology

1 Commission.

2 (3) The members shall be reimbursed for their actual and
3 necessary expenses as provided in sections 81-1174 to 81-1177.

4 Sec. 19. Section 86-571, Revised Statutes Cumulative
5 Supplement, 2006, is amended to read:

6 86-571 (1) The Geographic Information ~~System Steering~~
7 ~~Committee~~ Systems Council shall elect a chairperson from its
8 members and such other officers as the ~~committee~~ council deems
9 necessary.

10 (2) As the need arises, advisory committees may be
11 established by the ~~committee~~ council from various levels of
12 government, industry, or the general public to assist the
13 ~~committee-~~ council. The members of advisory committees shall be
14 reimbursed for their actual and necessary expenses as provided in
15 sections 81-1174 to 81-1177.

16 (3) The ~~committee~~ council shall meet quarterly or upon
17 the call of the chairperson.

18 Sec. 20. Section 86-572, Revised Statutes Cumulative
19 Supplement, 2006, is amended to read:

20 86-572 The Geographic Information ~~System Steering~~
21 ~~Committee~~ Systems Council shall:

22 (1) Make recommendations to the Legislature and the
23 Nebraska Information Technology Commission for program initiatives
24 and funding;

25 (2) Establish guidelines and policies for statewide
26 Geographic Information ~~System~~ Systems operations and management
27 to include:

1 (a) The acquisition, development, maintenance, quality
2 assurance such as ~~quality control~~ standards, access, ownership,
3 cost recovery, and priorities of data bases;

4 (b) The compatibility, acquisition, and communications of
5 hardware and software;

6 (c) The assessment of needs, identification of scope,
7 setting of standards, and determination of an appropriate
8 enforcement mechanism;

9 (d) The fostering of training programs and promoting
10 education and information about ~~the Geographic Information System;~~
11 Systems; and

12 (e) The promoting of ~~the Geographic Information System~~
13 Systems development in the State of Nebraska and providing or
14 coordinating additional support to address Geographic Information
15 ~~System~~ Systems issues as such issues arise;

16 (3) Report to, assist, and advise the Chief Information
17 Officer in setting information technology policy; and

18 (4) Provide assistance as requested by the ~~Nebraska~~
19 ~~Information Technology Commission~~ to commission and support the
20 technical panel created in section 86-521.

21 Sec. 21. Section 86-573, Revised Statutes Cumulative
22 Supplement, 2006, is amended to read:

23 86-573 ~~Annually, the chairperson of the Geographic~~
24 ~~Information System Steering Committee shall submit a written~~
25 ~~report, approved by the committee, to the Governor and the Clerk~~
26 ~~of the Legislature and shall send a copy of such report to the~~
27 ~~Intergovernmental Data Communications Advisory Council.~~

1 The Geographic Information Systems Council shall provide
2 a report of its activities to the Nebraska Information Technology
3 Commission for inclusion in the biannual progress report submitted
4 to the Governor and the Legislature by the commission pursuant to
5 section 86-518.

6 Sec. 23. The following sections are outright repealed:
7 Sections 86-531, 86-532, 86-533, 86-534, 86-535, 86-536, 86-537,
8 86-538, 86-539, 86-540, 86-541, 86-542, 86-543, 86-544, 86-545,
9 86-546, 86-547, 86-548, 86-549, and 86-553, Revised Statutes
10 Cumulative Supplement, 2006.

11 2. On page 3, line 2, after the comma insert
12 "intergovernmental data communications".

13 3. Renumber the remaining section and correct the
14 repealer accordingly.